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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,
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11 Plaintiff,
12 v.
13 SHELTON SMITH,
14 Defendant.

Case No. 2:19-CR-107-RSL

ORDER GRANTING
UNOPPOSED MOTION TO
CONTINUE TRIAL AND
PRETRIAL MOTIONS
DATES

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16 This matter comes before the Court on defendant Shelton Smith's "Unopposed Motion to
17 Continue Trial and Pretrial Motions Dates." Dkt. #13. Having considered the facts set forth in
18 the motion, and defendant's knowing and voluntary waiver, the Court finds as follows:

19 1. The Court adopts the facts set forth in the unopposed motion; specifically, that
20 defense counsel needs additional time to review all the discovery, as well as conduct
21 investigations and legal research. The Court accordingly finds that a failure to grant a
22 continuance would deny counsel, and any potential future counsel, the reasonable time
23 necessary for effective preparation, taking into account the exercise of due diligence, within the
24 meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

25 2. The Court finds that a failure to grant a continuance would likely result in a
26 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).
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1 3. The Court finds that the additional time requested between September 9, 2019, and
2 the proposed trial date of December 9, 2019 is a reasonable period of delay, as defense counsel
3 needs additional time to review the discovery, investigate the matter, and conduct legal research.
4 The Court finds that this additional time is necessary to provide defense counsel reasonable time
5 to prepare for trial, considering all the facts set forth above.
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7 4. The Court further finds that this continuance would serve the ends of justice, and
8 that these factors outweigh the best interests of the public and defendant in a speedier trial,
9 within the meaning of 18 U.S.C. § 3161(H)(7)(A).

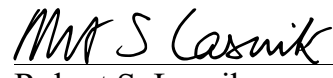
10 5. Defendant has signed a waiver indicating that he has been advised of his right to a
11 speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived
12 that right and consented to the continuation of his trial to a date up to and including December
13 31, 2019, Dkt. #14, which will permit trial to start on December 9, 2019, per defense counsel's
14 request.
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16 IT IS HEREBY ORDERED that the trial date be continued from September 9, 2019 to
17 December 9, 2019.

18 IT IS FURTHER ORDERED that the pretrial motions deadline be continued to
19 November 4, 2019.

20 IT IS FURTHER ORDERED that the period of time from the current trial date of
21 September 9, 2019, up to and including December 31, 2019, shall be excludable time pursuant
22 to the 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting of this
23 motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A),
24 and (h)(7)(B).
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1 DATED this 1st day of August, 2019.
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5 Robert S. Lasnik
6 United States District Judge
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